

EXHIBIT A

TESLA'S PROPOSED STATEMENT OF THE CASE

Plaintiff Owen Diaz was employed by Defendant Tesla, Inc. from June 2015 to March 2016, and brought a lawsuit against Tesla alleging violations of state and federal law. It was determined that Tesla is liable to Mr. Diaz for: (1) creating a hostile work environment based on race, (2) failing to prevent racial harassment in violation of federal law, and (3) negligently retaining and supervising one or more of Mr. Diaz's supervisors in violation of California state law.

As a result of these previous determinations of Tesla's liability, you are to determine, what, if any, past and future non-economic damages Mr. Diaz is entitled to recover from Tesla.

It was also determined that Tesla's unlawful conduct was conducted with malice, oppression, or in reckless disregard of Mr. Diaz's rights. As a result of those previous determinations, you will be asked to determine the extent and degree of punitive damages, if any, Mr. Diaz is entitled to recover from Tesla.

Your task, based on the more specific instructions the Court will deliver later in this case, is:

1. First to determine the amount, if any, of past and future non-economic damages needed to compensate Mr. Diaz for harm caused by Tesla; and
2. Second, to determine the extent and degree of punitive damages, if any, necessary to punish and deter Tesla for harm caused to Mr. Diaz.